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AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON MA 02111

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APR 15 2005

OFFICE OF PETITIONS

In re Application of	:
Jie Tang et al.	: DECISION ACCORDING STATUS
Reissue Application No. 09/827,605	: UNDER 37 CFR 1.47(a)
Filed: April 6, 2001	:
Attorney Docket No. 17564-145	:

This is in response to the petition under 37 CFR 1.47(a), filed April 4, 2005.

The petition is GRANTED.

The above-identified reissue application was filed on April 6, 2001. The application names Jie Tang, Gary B. Hess, Mark D. Muszynski and Thomas S. Goehring as joint inventors. Subsequent to the filing of the reissue application, additional amendments have been filed necessitating a supplemental reissue declaration. Accordingly, pursuant to 37 CFR 1.172, the reissue oath must be signed and sworn to or declaration made by the inventor or inventors except as otherwise provided....

The supplemental reissue oath/declaration has been properly executed by joint inventors Tang, Hess and Goehring. The applicant shows that Mr. Muszynski signed the reissue oath/declaration previously filed and that the Supplemental reissue oath/declaration was sent to Mr. Muszynski. This petition is filed alleging that joint inventor Mark D. Muszynski refuses to sign the supplemental reissue oath /declaration and seeks status under 37 CFR 1.47(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This matter is being referred to Technology Center 1742 for further processing.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink, reading "Patricia Faison-Ball". The signature is written in a cursive, flowing style with a large initial "P" and a long, sweeping underline.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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OFFICE OF PETITIONS

In re Application of
Jie Tang et al.
Application No. 09/872,605
Filed: April 6, 2001

For: APPARATUS AND METHOD FOR MAKING UNIFORMLY SIZED AND SHAPED
SPHERES

Dear Mr. Muszynski:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (571) 272-3212. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:

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